



Agenda Date: 8/16/06

Agenda Item: 3A

State of New Jersey
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE APPLICATION OF
CABLEVISION OF NEWARK TO RELOCATE)
CERTAIN OFFICE FUNCTIONS PURSUANT
TO N.J.A.C. 14:18-5.1

ORDER OF APPROVAL

BPU DOCKET NO. CO06040280

(SERVICE LIST ATTACHED)

BY THE BOARD:

This matter considers a request by Cablevision of Newark ("Cablevision" or "Petitioner"), a cable company holding Certificates of Approval and conducting cable television business in the State of New Jersey, and with its principal office at 1111 Stewart Avenue, Bethpage, New York, to close and relocate its customer service office at 360 Central Avenue, in the City of Newark, County of Essex to a new location less than one mile away to 198-208 West Market Street, units 214 and 215 also in the City of Newark, County of Essex, State of New Jersey.

By way of background, on April 11, 2006, Cablevision filed a verified petition, pursuant to N.J.A.C. 14:18-5.1, seeking Board approval of the proposed office closing and relocation. Petitioner asserts that the relocation is necessary because, among other reasons, the new West Market Street location will provide customer benefits that are greater than or comparable to those available at its current Central Avenue location.

The Petitioner asserts that the relocation is desirable, as it will:

- 1) provide subscribers who use the office with access to a large 200 space, no cost public parking lot reserved for shopping plaza customers, which is not available at the current office location. For customers visiting the current location, parking is limited to on street parking with a few spaces in front of the office;
- 2) offer a larger customer service area for subscribers that is over 1,000 square feet larger than the present facility and will provide an additional customer service workstation to accommodate its customers, resulting in improved waiting times; and
- 3) offer easy and convenient access via public transportation from NJ Transit Bus Lines and from Newark's Penn Station.

Petitioner indicates that no jobs will be eliminated as a result of the proposed relocation. Petitioner employs eight full time Customer Services Relations Coordinators and one Inventory Control Associate at the current office to assist walk-in customers by taking payments, exchanging customer equipment and receiving, investigating and resolving customer complaints. Following the relocation, Petitioner plans to add one full time Customer Service

Relations Coordinator at the new office. Petitioner represents that all services presently available at the current office will be maintained at the new location. Similarly, the hours of operation at the current office will continue at the new location, and will be open to transact business from 8:00 a.m. to 5:30 p.m. on weekdays and from 9:00 a.m. to 3:00 p.m. on Saturdays.

As required by N.J.A.C. 14:18-5.1, Petitioner posted notice of the proposed office closing and relocation on April 28, 2006, at its current office at 360 Central Avenue. Notice was also published on April 17, 2006 in the "Star Ledger," a daily newspaper of general circulation in the Petitioner's service area, informing area subscribers of the proposal and their right to file written comments or objections to the Board. Also, on April 11, 2006, the Petitioner sent copies of its petition to advise the municipal clerks of the City of Newark and the Township of South Orange Village of the proposed relocation. On or about June 13, 2006, Cablevision posted a revised notice at its current office location informing customers that the anticipated closing date of the office is August 31, 2006.

Staff advises that no objections from either the affected municipalities or the subscribers served by the office in question have been filed arising from Petitioner's notices. Likewise, no objection to the proposed office relocation was filed by the Department of the Public Advocate, Division of Rate Counsel.

As part of its due diligence review of the proposed office closing and relocation, Staff conducted a field inspection of Petitioner's current and proposed office locations on June 1, 2006. Among other things, Staff verified the material facts concerning office size, location and availability of parking at each location. However, it was determined at that time that significant construction at the new location had yet to be completed. Petitioner confirmed that construction is needed before it can occupy the premises, but indicated that it would complete the necessary work after it obtained the appropriate approval from the Board to relocate its office. While the Board understands the desire of Petitioner to ensure Board approval prior to expending the cost and effort necessary to complete construction, the Board must ensure that a customer service facility is open and operational during the course of the construction. Thus, the Board believes it appropriate to include conditions on the office closing to ensure that customers will continue to have seamless access to customer service during the transition period.

The proposed office closing and relocation conforms to all existing franchise commitments and obligations in the Certificate of Approval and municipal consent agreements for the municipalities served by the current office.

Accordingly, and based upon the petition and supporting documentation, the Board HEREBY FINDS that the proposed office relocation will not adversely affect the subscribers in the system. Therefore, the Board HEREBY ORDERS that Petitioner's request for permission to close and relocate its customer service office located at 360 Central Avenue, City of Newark, County of Essex, to a new location at 198-208 West Market Street, Units 214-215, in the City of Newark, County of Essex, State of New Jersey be GRANTED as conditioned below:

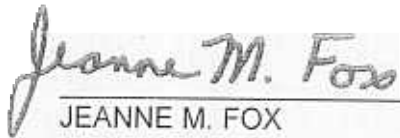
Cablevision may not transfer operations or close its customer service office located at 360 Central Avenue, City of Newark, County of Essex, until all construction as to the customer service facility at 198-208 West Market Street, Units 214-215 has been completed, inspected by all applicable local code officials and approved as being in compliance with any and all applicable building/construction code requirements, and approved by the staff of the Office of Cable Television.

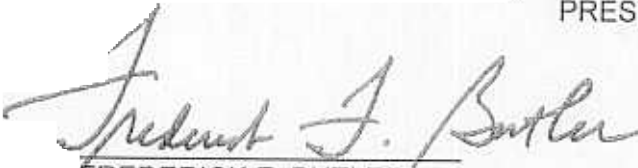
2. Upon completion of construction of the customer service facility at 198-208 West Market Street, Units 214-215, and upon receipt of all necessary building and occupation approvals, Cablevision shall notify the Board's Office of Cable Television. Within 5 business days, staff of the Office of Cable Television shall conduct an on-site inspection to verify the status of the permits and the condition of the facility. Following inspection, the Office of Cable Television shall forward to Cablevision via US Mail and fax a letter setting forth either its approval of the construction or any concerns it may have.
3. In the event the staff of the Office of Cable Television identifies any concerns in the construction or permitting of the facility, Cablevision shall address those concerns prior to transferring operations or closing the 360 Central Avenue customer service office.
4. Upon receipt of the letter from the Office of Cable Television indicating its approval of the construction, Cablevision may close its customer service office located at 360 Central Avenue, City of Newark, County of Essex and transfer operations to 198-208 West Market Street, Units 214-215, City of Newark, County of Essex. Any transfer of operations or personnel prior to receipt of this approval from the Office of Cable Television will render null and void the approval granted in this Order and will subject Cablevision to any and all appropriate action on the part of the Board.


This Order will be null and void if Cablevision does not complete the closing and relocation of its customer service facility within 180 days from the date of the issuance of this Order.


DATED: 8/18/06


BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


CONNIE O. HUGHES
COMMISSIONER

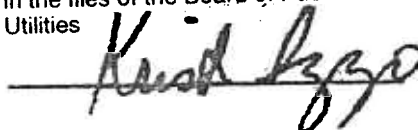

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



**IN THE MATTER OF THE APPLICATION OF CABLEVISION OF NEWARK
TO RELOCATE CERTAIN OFFICE FUNCTIONS PURSUANT TO N.J.A.C. 14:18-5.1**

DOCKET NO. CO06040280

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